

**Regular Meeting  
Board of Zoning Appeals  
June 1, 2005**

Vice Chairman Jim Blessinger called the Regular Meeting of the Board of Zoning Appeals to order at 7:00 p.m. Secretary Lloyd Martin took roll call as follows:

Chairman Jerry Uebelhor	-Absent	Randy Mehringer	-Present
Vice Chairman Jim Blessinger	-Present	Bob Wright	-Present
Secretary Lloyd Martin	-Present	Bldg. Comm. Dave Seger	-Present
Ray Byrd	-Absent	Atty Sandy Hemmerlein	-Present

**PLEDGE OF ALLEGIANCE**

Vice Chairman Blessinger led the Pledge of Allegiance.

**APPROVAL OF THE MINUTES**

Minutes of the May 4, 2005, Regular Meeting were reviewed. There was one correction. Under "Petition of Kerstiens Corporation..." the last paragraph on page 2 should read, "(R-1)" instead of "(R-2)". Randy Mehringer made a motion to approve the minutes as corrected. Bob Wright seconded it. Motion carried 4-0.

**STATEMENT**

Vice Chairman Blessinger read the following statement. "We are now ready to begin the public hearings scheduled for this evening. With respect to tonight's meeting and public hearings, we are hereby incorporating by reference into the record of tonight's meeting and public hearings, City of Jasper Ordinance Number 1993-17, entitled "Zoning Ordinance of the City of Jasper, Indiana and its jurisdictional area" and any and all amendments thereto. Audio and videotapes of these proceedings are also incorporated by reference into this evening's record."

**OLD BUSINESS**

Petition of Steve and Grace Stemle for a special exception to allow a Home Occupation (Independent Manufacturer Office).

Steve and Grace Stemle were present to request a special exception to operate a business in a residential zone. The Stemles plan to operate their independent sales business at 551 Schuetter Road. There would be no customer traffic at the residence.

The Stemles currently do not reside at the proposed property; however, plans are to move into the home within a year.

Attorney Sandy Hemmerlein explained to the Stemles that according to Section 16.03.120 (1) of the Zoning Ordinance, a home occupation shall be carried on by a family member residing in the dwelling.

After some discussion with the Board, the Stemles said they would have their son live in the upstairs of the residence.

There were no remonstrators present. Bob Wright made a motion to close the public hearing. Randy Mehringer seconded it. Motion carried 4-0.

Randy Mehringer made a motion to grant a special exception to allow a Home Occupation (Independent Manufacturer Office) at 551 Schuetter Road contingent upon a family member living in the home when the business is in operation. It was seconded by Bob Wright. Motion carried 4-0.

## **NEW BUSINESS**

### **Petition of Anita Walters for a special exception to allow a Home Occupation (Beauty Salon).**

Anita Walters was present to request a special exception to operate a beauty salon at her residence located at 1615 W 400 N. Ms. Walters would have no employees and schedule customers by appointment only. There would be ample parking available on her property.

There were no remonstrators present. After some discussion, Secretary Martin made a motion to close the public hearing. Bob Wright seconded it. Motion carried 4-0.

Bob Wright made a motion to grant a special exception to allow a Home Occupation (Beauty Salon) at 1615 W 400 N. Randy Mehringer seconded it. Motion carried 4-0.

### **Petition of Philip Buecher, as owner, and Jason Burkhardt and Kim Schroeder for a variance to operate a business in a residential zone.**

Jason Burkhardt and Kim Schroeder were present to request a variance to operate their business in a residential zone. The proposed property is located at 209 W. 9<sup>th</sup> Street. The petitioners plan to purchase the property contingent upon receiving approval of a variance from the Board.

The business is mostly traveling sales. Hours of operation would be Monday through Friday, 8:00 a.m. to 5:00 p.m. Since the business is not retail, Mr. Burkhardt said he does not foresee customers coming to the business.

There were some concerns by the Board regarding off-street parking. Mr. Burkhardt explained that his business would only utilize two parking spaces. He said he and Mr. Schroeder spend several days traveling out of town; therefore, parking would not be an every-day issue.

There were no remonstrators present. With no more discussion, Randy Mehringer made a motion to close the public hearing. Secretary Martin seconded it. Motion carried 4-0.

Secretary Martin made a motion to grant a variance to allow a business in a residential zone at 209 W. 9<sup>th</sup> Street, including a maximum of three employees. Randy Mehringer seconded it. Motion carried 4-0.

### **Petition of Noah Place for a special exception to allow a Home Occupation (Miramar Mortgage and Financial Services) and a variance from Section 16.03.060 (Limitation on Signs).**

Noah Place was present to request a special exception to operate his business at his residence located at 529 W. 9<sup>th</sup> Street. Mr. Place said that approximately 90% of his business, Miramar Mortgage and Financial Services, is handled by phone, fax or email. The business includes requests such as home equity loans and mortgage refinance loans.

There were no remonstrators present. Bob Wright made a motion to close the public hearing. Secretary Martin seconded it. Motion carried 4-0.

Randy Mehringer made a motion to grant a special exception to allow a Home Occupation (Miramar Mortgage and Financial Services) at 529 W. 9<sup>th</sup> Street. Secretary Martin seconded it. Motion carried 4-0.

Mr. Place also requested a 4 x 6 foot sign to be erected on his property. Although most of his business would be handled by phone, fax or email, Mr. Place said the sign would be a form of advertising his business. Mr. Place figured a 2 x 2 foot sign would be too small for incoming traffic to see.

The proposed property sets on a corner lot. Building Commissioner Seger reminded the Board that according to the Ordinance, a sign can be no taller than 2 ½ feet at street level and 35 feet from a corner lot. The proposed property sets on the corner of 9<sup>th</sup> and Bartley Streets.

There were no remonstrators present. After some discussion. Secretary Martin made a motion to close the public hearing. Bob Wright seconded it. Motion carried 4-0.

Secretary Martin made a motion to deny a variance from Section 16.03.060 (Limitation on Signs). Bob Wright seconded it. Motion carried 4-0.

The Board agreed to allow a sign to be hung from the house instead of mounting it onto the house.

Petition of Tornado Ted's Family Properties LLC, as owner of the subject property, for a variance to deviate from the City of Jasper Street Development Standard.

Surveyor Ken Brosmer was present on behalf of Tony Uebelhor to request a variance to deviate from the city's street standards regarding the grade of a street to be built on the west side of the future Toyota dealership located off of 12<sup>th</sup> Avenue.

In conjunction with building a Toyota dealership, Mr. Brosmer explained that a street will be built off of 12<sup>th</sup> Avenue. Plans are to build the street to the City's specifications so that in the future, if any surrounding land in the area is developed, it would become a city street.

Mr. Brosmer stated that currently the grade is too steep for trucks to enter and exit. A proposed design was displayed, which was approved by City Engineer Chad Hurm and Street Commissioner Raymie Eckerle. The plans show to use an existing set of inlets and putting the low point 20 ½ feet from the centerline instead of 50 feet as stated in the standards.

There were no remonstrators present. Bob Wright made a motion to close the public hearing. Secretary Martin seconded it. Motion carried 4-0.

Bob Wright made a motion to grant a variance to deviate from the City of Jasper Street Development Standard. Randy Mehringer seconded it. Motion carried 4-0.

With no further discussion, Bob Wright made a motion to adjourn the meeting. Secretary Martin seconded it. The motion carried 4-0, and the meeting was adjourned at 8:07 p.m.

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Jerry Uebelhor, Chairman

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Lloyd Martin, Secretary

Kathy M. Pfister, Recording Secretary